

moving forward, the risk of an appeals process modifying or being changed is incorporated or at least is being proposed.

For those of us who are very concerned about the ability to protect the very clear and important portions of the spectrum that the Department of Defense utilizes, it is important that there be no modifications to any appeals process between now and September 30. Until such time as we have that available to us, it is simply not appropriate, I believe, to allow for an existing modification or new legislation to be proposed that does not take that into account.

Once again, I don't want to see this lapse either—I would love to see it moved on—but I cannot think of a reason we would not be able to extend the existing auction capabilities of the FCC, the NTIA, and so forth and still protect the spectrum capabilities of the Department of Defense until September 30, at which time the complete report will be available. Until such time, I believe that it would be inappropriate to, once again, have the risk of modifications to any appeals process and any additional legislation that might be included in a further extension.

Therefore, with all due respect, I must object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Vermont.

Mr. WELCH. Madam President, just to remark, here is the dilemma we have. Much of what the Senator from South Dakota is saying I agree with, but we have two things that are relevant on a very practical level.

One is the pressure that continues to be brought to bear on the negotiators with the 60-day extension to get a final agreement, which would solve the problems that all of us face and are of concern to the Senator from South Dakota.

The second is a political one. It has been conveyed to us very clearly that the House will not take up anything beyond the 60-day extension. We may think they are wrong, but they have the authority to reject an extension beyond the 60 days. That would result in a lapse in spectrum authority, which would be devastating to all of us and all of the goals we are striving to achieve.

So that is the practical question we face.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. HASSAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WELCH). Without objection, it is so ordered.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 4355(a), appoints the following Senator to the Board of Visitors of the U.S. Military Academy: The Honorable JONI ERNST of Iowa, At Large.

MEASURE READ THE FIRST TIME—S. 701

Ms. HASSAN. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 701) to protect a person's ability to determine whether to continue or end a pregnancy, and to protect a health care provider's ability to provide abortion services.

Ms. HASSAN. I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

PREVENTING CHILD SEX ABUSE ACT OF 2023

Ms. HASSAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 724, which is at the desk.

The PRESIDING OFFICER. The clerk will read the bill by title.

The legislative clerk read as follows:

A bill (S. 724) to protect children against sexual abuse and exploitation, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Ms. HASSAN. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 724) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 724

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Preventing Child Sex Abuse Act of 2023".

SEC. 2. SENSE OF CONGRESS.

The sense of Congress is the following:

(1) The safety of children should be a top priority for public officials and communities in the United States.

(2) According to the Rape, Abuse & Incest National Network, an individual in the United States is sexually assaulted every 68 seconds. And every 9 minutes, that victim is a child. Meanwhile, only 25 out of every 1,000 perpetrators will end up in prison.

(3) The effects of child sexual abuse can be long-lasting and affect the victim's mental health.

(4) Victims are more likely than non-victims to experience the following mental health challenges:

(A) Victims are about 4 times more likely to develop symptoms of drug abuse.

(B) Victims are about 4 times more likely to experience post-traumatic stress disorder as adults.

(C) Victims are about 3 times more likely to experience a major depressive episode as adults.

(5) The criminal justice system should and has acted as an important line of defense to protect children and hold perpetrators accountable.

(6) However, the horrific crimes perpetrated by Larry Nassar demonstrate firsthand the loopholes that still exist in the criminal justice system. While Larry Nassar was found guilty of several State-level offenses, he was not charged federally for his illicit sexual contact with minors, despite crossing State and international borders to commit this conduct.

(7) The Department of Justice has also identified a growing trend of Americans who use charitable or missionary work in a foreign country as a cover for sexual abuse of children.

(8) It is the intent of Congress to prohibit Americans from engaging in sexual abuse or exploitation of minors under the guise of work, including volunteer work, with an organization that affects interstate or foreign commerce, such as an international charity.

(9) Federal law does not require that an abuser's intention to engage in sexual abuse be a primary, significant, dominant, or motivating purpose of the travel.

(10) Child sexual abuse does not require physical contact between the abuser and the child. This is especially true as perpetrators turn increasingly to internet platforms, online chat rooms, and webcams to commit child sexual abuse.

(11) However, a decision of the United States Court of Appeals for the Seventh Circuit found the use of a webcam to engage in sexually provocative activity with a minor did not qualify as "sexual activity".

(12) Congress can address this issue by amending the definition of the term "sexual activity" to clarify that it does not require interpersonal, physical contact.

(13) It is the duty of Congress to provide clearer guidance to ensure that those who commit crimes against children are prosecuted to the fullest extent of the law.

SEC. 3. INTERSTATE CHILD SEXUAL ABUSE.

Section 2423 of title 18, United States Code, is amended—

(1) in subsection (b), by striking "with a motivating purpose of engaging in any illicit sexual conduct with another person" and inserting "with intent to engage in any illicit sexual conduct with another person";

(2) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (i), respectively;

(3) in subsection (e), as so redesignated, by striking "with a motivating purpose of engaging in any illicit sexual conduct" and inserting "with intent to engage in any illicit sexual conduct"; and

(4) by inserting after subsection (g), as so redesignated, the following:

"(h) RULE OF CONSTRUCTION.—As used in this section, the term 'intent' shall be construed as any intention to engage in illicit sexual conduct at the time of the travel."

SEC. 4. ABUSE UNDER THE GUISE OF CHARITY.

Section 2423 of title 18, United States Code, as amended by section 3 of this Act, is amended—

(1) by inserting after subsection (c) the following:

“(d) ILLICIT SEXUAL CONDUCT IN CONNECTION WITH CERTAIN ORGANIZATIONS.—Any citizen of the United States or alien admitted for permanent residence who—

“(1) is an officer, director, employee, or agent of an organization that affects interstate or foreign commerce;

“(2) makes use of the mails or any means or instrumentality of interstate or foreign commerce through the connection or affiliation of the person with such organization; and

“(3) commits an act in furtherance of illicit sexual conduct through the connection or affiliation of the person with such organization, shall be fined under this title, imprisoned for not more than 30 years, or both.”;

(2) in subsection (f), as so redesignated, by striking “or (d)” and inserting “(d), or (e)”; and

(3) in subsection (i), as so redesignated, by striking “(f)(2)” and inserting “(g)(2)”.

SEC. 5. SEXUAL ACTIVITY WITH MINORS.

Section 2427 of title 18, United States Code, is amended by inserting “does not require interpersonal physical contact, and” before “includes”.

HONORING THE LIFE AND DEATH OF JAMES THOMAS BROYHILL, FORMER SENATOR FOR THE STATE OF NORTH CAROLINA

Ms. HASSAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 100, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 100) to honor the life and death of James Thomas Broyhill, former Senator for the State of North Carolina.

There being no objection, the Senate proceeded to consider the resolution.

Ms. HASSAN. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 100) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under “Submitted Resolutions.”)

ORDERS FOR THURSDAY, MARCH 9, 2023

Ms. HASSAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned under the provisions of S. Res. 100 until 10 a.m. on Thursday, March 9; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that following the conclusion of morning business, the Senate proceed to executive session and resume consideration of the Werfel nomination

postcloture; further, that all postcloture time be considered expired at 11:30 a.m. and the Senate vote on confirmation of the nomination followed by confirmation of the Simmons nomination; further, that following disposition of the Simmons nomination, the Senate resume consideration of the Kahn nomination and at 1:45 p.m. vote on confirmation of that nomination; finally, that if any nominations are confirmed during Thursday's session, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's actions.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Ms. HASSAN. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order, following the remarks of Senator SULLIVAN.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alaska.

WILLOW PROJECT

Mr. SULLIVAN. Mr. President, I am coming to the floor for the final time to give remarks about the Willow Project. I will explain it a little bit in my remarks.

The President is getting ready to make a decision—a huge decision—on a big project in Alaska—really, an inflection point for our State's future. He is likely to make that decision any day. So I am just going to come down and kind of wrap up the arguments that we have been making.

I really want to thank a number of folks: Senator MURKOWSKI, of course, who, with me—we have been focused on this issue for 2 years, the entire time of the Biden administration—2 years, arguments every day, including a meeting with the President last week, last Thursday; Congresswoman PELTOLA, who has done a really strong job in this regard, particularly in the meeting last week with the President. Some of my Democratic colleagues have been weighing in on this project. I really appreciate that. I know it takes a lot of courage.

I am going to talk about some of the far-left lower 48 environmental groups that don't support it based on nothing—no facts, no data. But stand up to them, go to the White House and say: Come on, Mr. President. Come on, Biden administration. You have to make sure Alaska has this.

So my Democrat colleagues, I am not going to name you. I don't want to get you in trouble or anything, but thank you. I really, really appreciate this.

As I mentioned, we had a meeting with the President last week, and, at the beginning of the meeting, in addition to handing the President a unanimous resolution from the entire Alaska

Legislature—the entire State senate, the entire State house; Democrats, Republicans, Independents; Native, non-Native—all passed a resolution saying to the Biden administration: Please support the Willow Project.

There were three pads. I handed that to the President. I also handed him this map that describes really the context, as I said to the President, of what is happening in Alaska under this administration.

I was respectful. We were in the Oval Office. Of course, you are going to be respectful with the President and his team. The Oval Office is a very historic place, obviously. But I said, respectfully: Mr. President, in every region of the State, every industry—oil, gas, mining, hunting, fishing; you name it—there have been 45 Executive orders and Executive actions—it is now 46; there has been another one since the meeting we had last week—looking to shut down Alaska. It is exhausting, to be honest. No other State is getting that kind of attention.

I walked through some of these, but I just, again, respectfully, wanted the President to know, and that is it. Every time we meet with senior White House officials and say—these are the days we have met with senior White House officials—“Hey, how about a ceasefire?” we just get more, more.

There is no other State in the country getting this kind of attention. It is unwanted attention. As I have told many of my Democratic colleagues, hey, if a Republican administration came after you like this, singling your State out, putting thousands of people out of work, and you came to me and said, “Hey, Dan, could you help me?” I would help you. Every Democrat here knows I would help you. So I appreciate the help that we are getting.

That was the context of the meeting. Again, it was respectful. We appreciated it. We had over an hour with the President and his team. He is a busy, busy man, the leader of the free world. So we appreciated that.

(Ms. HASSAN assumed the Chair.)

I was also recently down in Houston at this very big energy conference called CERAWEEK. To be honest, it is not an exaggeration to say that all eyes are on the Willow Project because, essentially, the question that is being posed in our energy sector is this. There was a very good Wall Street Journal editorial last week calling the Willow Project the test for Biden. This editorial lead by saying that the “President . . . says the only barrier to more U.S. oil production is recalcitrant” companies.

OK, a lot of us don't believe that, by the way. So here is an opportunity to say: Is that true or not? Because if the Biden administration—the President—approves Willow tonight, ConocoPhillips will start moving people to build it tomorrow. We are ready. The State is ready. The private sector is ready.

So I think that is the key question, and it was the key question down in